

# Supreme Court of Kentucky

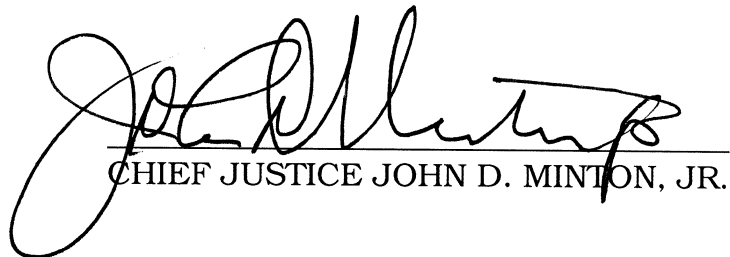
## ORDER

**IN RE: ORDER APPROVING THE DOMESTIC VIOLENCE PROTOCOL  
FOR THE 30TH JUDICIAL CIRCUIT AND DISTRICT,  
JEFFERSON COUNTY**

Upon recommendation of the Chief Judges of the 30th Judicial Circuit and District, and being otherwise sufficiently advised,

The Domestic Violence Protocol for the 30th Judicial Circuit and District, Jefferson County is hereby approved. This order shall be effective as of the date of this Order, and shall remain in effect until further orders of this court.

Entered this the 10<sup>th</sup> day of September 2012.



CHIEF JUSTICE JOHN D. MINTON, JR.

**TWENTY-FOUR HOUR ACCESSIBILITY TO EMERGENCY  
PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION  
DOMESTIC VIOLENCE PROTOCOL  
30th JUDICIAL CIRCUIT AND DISTRICT  
JEFFERSON COUNTY**

Pursuant to KRS 403.735, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, this local domestic violence protocol is established to ensure twenty-four hour accessibility to emergency protective orders and to establish written procedures for domestic violence matters in which there may be joint jurisdiction between the circuit/family and district courts.

**I. Uniform Protocol for Processing Cases**

- A. Circuit court clerks shall process domestic violence cases in accordance with the procedures set forth in the "Domestic Violence Proceedings" section of the Kentucky Circuit Court Clerk's Manual and with eEpo processes.
- B. All cases will be assigned a "D" case number with the appropriate trailer number within the court case management system and may not be consolidated with any other case type.
- C. This jurisdiction does not have a blanket "no-drop" policy. Domestic violence cases are civil matters within the purview of CR 41.01.
- D. Consistent with FCRPP 12, domestic violence cases shall be reassigned or transferred to another circuit if there is a pending dissolution or custody matter. The emergency protective order shall continue and the summons shall be reissued by the initiating court, pursuant to KRS 403.740(4), for a period not to exceed fourteen days if service has not been made on the adverse party by the date of transfer, or as the court determines is necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur as needed in the court of transfer.

## **II. Twenty-four Hour Accessibility**

- A. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner twenty-four hours per day, seven days per week:  
Jefferson Circuit Court Clerk, Deputy Clerks and Deputized Clerks  
Domestic Violence Intake Center  
Jefferson County Hall of Justice  
600 West Jefferson Street  
Louisville, KY 40202
- B. Upon receipt of a petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:  
First to the Family Court Judge to whom the case is assigned; and if unavailable then to all of the Family Court Judges; and if unavailable then to all of the District Court Judges and Trial Commissioners; and if unavailable then to all of the Circuit Court Judges.
- C. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to:  
First to the on-call District Court Judge or Trial Commissioner; and if unavailable then to the back-up duty District Court Judge or Trial Commissioner; and if unavailable then to all of the District Court Judges and Trial Commissioners; and if unavailable then to all of the Family Court Judges; and if unavailable then to all of the Circuit Court Judges.
- D. Petitions will be reviewed within one hour of presentation to a judge or trial commissioner unless it is impossible due to the unavailability of a judge or trial commissioner.
- E. The schedule for domestic violence hearings is available in the Jefferson Family Court Administrator's office.

## **III. Contempt Proceedings**


- A. Pursuant to KRS 403.760, civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive.

B. Petitioner's seeking to initiate contempt proceedings should comply with the following:

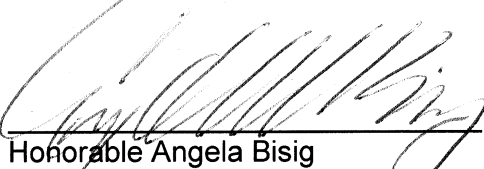
1. Without limiting a party's choice of remedies, alleged violations of Domestic Violence Orders should be referred to the Jefferson District Court, First Floor, Hall of Justice, 600 West Jefferson Street, Louisville Kentucky, for possible prosecution, except as set forth in the following paragraph 2.
2. Without limiting a party's choice of remedies, alleged violations of Domestic Violence Orders pertaining to visitation, child support, counseling, or firearms provisions should be initiated through the Jefferson Family Court Clerk's Office, First Floor, Judicial Center, 700 West Jefferson Street, Louisville Kentucky, and scheduled for contempt hearings on the appropriate Jefferson Family Court docket.

B No petitioner may be held in contempt for failing to appear at a domestic violence hearing or to prosecute a criminal violation of a protective order.


The above protocol is adopted by the Chief Judges for all of the judges in the 30<sup>th</sup> Judicial Circuit and District:

  
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Honorable Stephen M. George  
Chief Judge, Jefferson Family Court

2/24/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Honorable Angela Bisig  
Chief Judge, Jefferson District Court

2/24/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Honorable Audra Eckerle  
Chief Judge, Jefferson Circuit Court

2-24-12  
\_\_\_\_\_  
Date